

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Arthur Bonstein v. Daimler Chrysler	:	C.A.No. 2:02 CV 02679
John Neilson v. Ford Motor Company	:	C.A.No. 2:02 CV 02819
David Weiner, Sr. v. Daimler Chrysler	:	C.A.No. 2:02 CV 02975
Barbara Harry v. Ford Motor Company	:	C.A.No. 2:02 CV 02976
Joseph Kiniuk v. Daimler Chrysler	:	C.A.No. 2:02 CV 02977
Herman Zucal v. Daimler Chrysler	:	C.A.No. 2:02 CV 03531
John Romanowski v. Daimler Chrysler	:	C.A.No. 2:02 CV 03532
Ronald Snyder v. Daimler Chrysler	:	C.A.No. 2:02 CV 03741
Emery Dancsecs v. Daimler Chrysler	:	C.A.No. 2:02 CV 03742
Morris Gresh v. Daimler Chrysler	:	C.A.No. 2:02 CV 04410
Richard Gearing, Sr. v. Daimler Chrysler	:	C.A.No. 2:02 CV 04411
Richard Fye v. Daimler Chrysler	:	C.A.No. 2:02 CV 04414
Robert Searfoss v. Daimler Chrysler	:	C.A.No. 2:02 CV 04415
Eugene Smith v. Daimler Chrysler	:	C.A.No. 2:02 CV 04416
Jack Binder v. Daimler Chrysler	:	C.A.No. 2:02 CV 04658
Elliott Boulous v. Daimler Chrysler	:	C.A.No. 2:02 CV 04659
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O R D E R

\_\_\_\_\_ This Court has previously administratively dismissed these cases pending the determination of certain issues by the Bankruptcy Court. Those issues having now been resolved, these cases are hereby reinstated for the purpose set forth herein.

These cases were originally filed in the Pennsylvania State Court of Common Pleas for the County of Northhampton, and subsequently removed to the United States District Court for the Eastern District of Pennsylvania. The removal was predicated upon the theory of “related to” bankruptcy jurisdiction, vis-a-vis the bankruptcy filing in the United States District Court for the District of Delaware by Federal Mogul Corporation or the bankruptcy filing by Armstrong World Industries. A large number of similar cases were directly transferred or removed to the Bankruptcy

Court in Delaware the Third Circuit designated the Honorable Alfred M. Wolin as the presiding judge. Having completed an extensive briefing and hearing process, Judge Wolin, on February 8, 2002, issued his ruling that the Bankruptcy Court lacked jurisdiction in these matters and thereupon ordered their transfer back to the various state courts. The order was appealed to the United States Court of Appeals for the Third Circuit and on July 31, 2002, Judge Slovitor issued the Court's opinion upholding Judge Wolin's decision. The Supreme Court denied cert and all avenues for appeal appear to have been exhausted by the parties.

The action before this Court is similarly situated with regard to its removal from the state court. The Court can find no reason not to comply with Judge Wolin's decision as it relates to the removal of this case to the federal court.

IT IS ORDERED that these cases are hereby reinstated and remanded to the State of Pennsylvania Commonwealth Court for Northhampton County from whence they were removed to this Court.

DONE this 21<sup>ST</sup> day of February, 2003.

BY THE COURT

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Charles R. Weiner S.J.